NEW YORK HERALD, THURSDAY, JULY 31, 1858.

STATE OF THE PROPERTY OF THE PROPER to the exact time; I told the pitot that he should take the shortest route back to Fall River; while I was coming back from the pilot hoose, where I had remained about afteen minutes. I not my brother, who informed me that the passengers were holding a meeting, and passing resolutions about me and the boat under my command; I told him not to mind the passengers or the resolutions, but to pay all his attention to the wounded; I told him that I had something else to do other than looking after the meeting of the pass. wounded; I teld him that I had something else to do other than looking after the meeting of the passengers; I told one of the wheelmen and a brother of mine to jump ashore as soon as we reached Fall River and seach manigo in different directions after physicians; I also told them to call the watchman, and send him for Mr. Jefferson and Richard Borden, owners and agents of the line; after the boat was made fast to the dock, I went ashore with a lantern in my hand, and had not proceeded a great distance when I met Col. Richard Borden; I walked back with him, told him all about the accident, and how I had sent for physicians; we then gent on board the steamer State of Maine, and gave orders to get coul on board of her for the purpose of conveying our passengers to New York; a number of men were procured, and arrangements were made for the departure of the boat for New York; I then got the seengers to New York; a number made for the de octured, and arrangements were made for the de arture of the boat for New York; I then got the arture of the boat for New York; I then got the baggage and crates on board the State of Maine, and being ready to start asked Mr. Borden if it would be necessary for me to go on to New York; he said it would, that Captain Brown, of the Metropolis, would take charge at Fal River; I then went on board of the State of Maine and, after seeing that everything was in order, we started for New York; when we got to Newport, a loose plank, which had been tied to a guard brace at of the wheel by some boys, previous to our starting from Fall River, was cut loose by my orders; some of the passengers circulated a report in New York that when we got to Newport we stopped to mend the keel of the State of Maine; he wisked to correct the error by saying that it was nothing more or less than the loose plank which engaged their attention at Newport, and this, he deposed, was tied to the brace by some boys who had been in swim ming; on our passage to New York, all went on well until after dinner, when a committee waited upon me, and said they had been deputised to inquire into my conduct; they said they did not see me during the scene that followed the explosion; I replied to them that a great deal of work had been done in a short space of time by some one's orders, that I had acted with coolness and judgment throughout the transaction, but probably there were men who would have acted better than I did under the circamstances; we left Fall River about ten minutes past 5, and arrived in New York about a quarter before 6 o'clock.

Q. By a juror—It is testimony that the appearance of the boiler was unusual on the night of the accident. Do you know anything concerning the fact?

A. No—expect that when we fire up on leaving Newport the smoke stack often gets heated, and has an unusual appearance; this occurs generally when the atmosphere is mukry and close, or when the

Newport the smoke stack often gets heated, and his an unusual appearance; this occurs generally when the atmosphere is mukry and close, or when the wind is westerly or southerly; I have seen smoke tacks get red hot on such occasions; some ten years

tion was very good.

Q. What was there objectionable in the shape of the boilers?

A. They were too short and were apt to get the smoke pipes heated.

Q. Was the iron of good quality?

A. I believe it

Q. Was the iron of good quality? A. I believe it was:
Q. What do you regard as the primary cause of the explosion? A. The extreme heat there, caused the life to die out of the iron; the rivers gave way on the side next to the fire and on the lower end of the sheet; the force of the steam doubled the sheet up in the smoke chimney, and preventing the escape of steam up the chimney, it returned back through the fire and out through the ash pan doors, blowing them off.
Q. Where were you when the explosion took place? A. I was aft of the wheel.
Q. Where were the passengers and crew who were injured? A. They were in and about the fire room, on the main deck.

Q. Was there more than one person talking to you

on the main deck.

A Was there more than one person talking to you about the heated chimneys? A. No.

Q. Were you aware of any defect in the boiler?

A. I was not.

Q. Did you examine the part that exploded? A. We did; Mr. Ketchum and myself examined it ourselves.

Q. Have you any recollection of persons asking you if the boiler was not defective, and your replying in the affirmative? A. I have not the slightest recollection of any thing of the kind.
Q. How long would the brace bolts in the chimney last in an ordinary steamboat? A. About four years.
Q. How long were the bolts on board the Empire State in use? A. About nine months.
Q. What steam had you on when you left Newport? A. About thirty, or thirty-one pounds; we are sllowed to carry thirty-seven pounds.
Q. Under what head of steam do you usually run?
A. From thirty-three to thirty-six pounds.
Q. What is your maximum? A. Thirty-seven pounds. Q. Have you any recollection of persons asking

pounds.

Q. Why are you particular about the heating of the smoke pipes? A. For fear they might fall down, and thus delay the boat, or perhaps cripple her.

Q. Were the men you had with you skilful in their department? A. They were men of experi-

ence.
Q. Were your firemen well proved to be trusty?
A. Yes, sir; they were good men.
Q. You think there was nothing that indicated any defect in the boiler which was apparent to one making a careful inspection? I do, sir.
Q. There are rumors about, that Mr. Ketchum refused, or was unwilling to go on board; do you know anything about it? A. I know nothing of such an objection; I never heard Mr. Ketchum make any remarks about defects in the boiler.
Q. How many boiler in kers had Mr. Ketchum with him? A. I think he had live.
Q is there any one of those men to whom Mr. Ketchum would be most likely to entrust a job to next to himself? A. I suppose there was, but I could not name the party.

could not name the party. What do you think in regard to the other lerry. The farmers er. Should it be overhanded? A. I should say them with f. od. and although the larboard chimney a not in the frequent occurrence.

March, the country is certain to be respected, and her interests properly looked after. Would that all our agents abroad were as worthy Mr. Bayman, connected with the consulate, is also a high toned, generous, hespitable gentleman, respected for his thousand fine qualities. "Long may be flourish." His house is always open to Americans, and the honors are dispensed by his noble lady in such a manner as to endear her to all who may be so fortunate as to be recipients of her kindness. Mesars. Carter and Nuno, partners in the house of March & Co., are known only to be highly respected. All who have experienced their cardial, margeted attention and civility, can well say, "We ne'er shall see their like again."

see their like again."

The Jamestown is here; all on board quite well.

Theatrical, Musical, &c.

Niblo's Garden.—The bill for this evening cannot tail to attract a large audience. First, we are to have the Ravels in the "Coopers," followed by Hengler on the tight rope; then dancing by M'lle Robert and the ballet corps, and afterwards the Ravels in the "Italian Brigan's" Everybody will be gratified to learn the Mr. Burton will be able to commence here on Monday.

Howeny Theatres.—The hearty applianse nightly bestowed by enthusiastic audiences upon the new drams, entitled the "Pirates of the Mississippi," and the famous burleaque of "Posahontas," has warranted Mr. Brougham in announcing them for repetition till further notice. The charming dancers, M'lles Henvarde, appear between the plays each evening.

Keller's Tableaus.—Those inimitable artists the Keiler family, are to take their farewell benedt, and make their last appearance at Empire Hall, this evening. They tender various of their finest pictures, together with sweet songs and good music, and will doubtless receive what they most truly me-

THE ETHIOPIANS, Geo. Christy and Wood's minstrels are about withdrawing for the summer—they close on Saturday. In the meantime they propose to favor their patrons with numerous of the old songs and dances characteristic of negro life, and which rendered them famous in early days.

Latest from Kansas.

Latest from Kansas.

[From the St. Louis immorat, Joly 26.]

The report that one of General Lane's regiments had crossed the Missouri into Nobraska is untrue.

The officers of the steamer Genoa, which was at Bennett's landing a few miles below Nebraska city, on the hight of the 21st, state that four hundred is the number of the men who had marched with him through lows, and that they had not left that State, but were still encamped in the woods, skirting the river, on a spot a few miles from Bennett's lerry. The farmers in the neighborhood supply them with f. od. und d. sertions from the party are of frequent occurrence.

dents. All the laws passed by the legislative assembly and governor shall be aubmitted to the Congress of the United States, and if disapproved shall be null and of no effect.

Sec. And be it further enacted, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory of Kanesa. The governor shall nominate, and by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and, in the first instance, the governor alone may appoint all said officers, who shall hold their offices until the end of the next season of the legislative assembly, and until their successors are appointed, or elected and qualified.

Sec. 8. And be it further enacted, That no member of the legislative assembly shall hold, or be appointed to any office which shall have been increased while he was a member, curing the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall half any office under the government of said ferritory.

But it shall not be competent for said legislative assembly to pass any see poof facto law, or law impairing the validity of contracts nor any law in abridgment of the freedom of speech or of the press, or to deprive any one of the right of trial by jury, or of the writ of Aubest oxypus; nor any law requiring any property qualification, or religious test, for the right to vote, hold office, or practice law, or see we on juries, in any court of justices, neither shall any person, to be entitled to any of said privileges, be required to take an each or affirmation to support any law other than the constitution of the United States. Nor shall cruel or unusual punishments be allowed, nor resonable ball be recovered to the p

Sec. 12. And be it further enacted, That the inhabitants of the said Territory shall be entitled to all the rights, privileges and immunities granted and secured to all the citizens of the United States by the laws of the United States not in conflict with the provisions of this act, and also all the rights, privileges and immunities guaranteed by the constitution of the United States, and the laws of the United States are hereby extended over and declared to be in force in said Territory, so far as the same, or any provision thereor, may be applicable.

Sec. 13. And be it turther enacted, That the legislative assembly of the Territory of Kansas shall hold its first esseion at such time and ispace in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expected, the governor and legislative assembly may proceed to locate and establish the seat of government for said Territory at such place as they may doem eligible, which place, however, may thereafter be subject to be charged by the legislative authority of said Territory. Sec. 14. And be it further enacted, That a delegate, having the qualifications of a member of the legislative assembly in said Territory, to the House of Representatives of the United States, to serve for the term of one year, may be delegated by this act, who shall be entitled to the same rights and privileges as are excised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. And thereafter such delegates shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

Sec. 16. And be it further enacted, That all suits, process and proceedings, civil and criminal, at law and un chancery, and asi indictments and informations which all be pending and undertermined in such courts at the Citied States, or of said Territory. If not a declaration is not proceedings, civil and criminal, at law and un chanc

Territories hereafter to be erected out of the same such way and under such regulations and restrict as Congress may hereafter presently.

Sec. 19. And be't further enacted, That, temporar and until otherwise provided by law, the governor was be pointed for said ferritory to the several districts, also appoint the times and places for holding claif districts, and assign the judges, and alter the legislative assembly, at their first or any quent session, may organize, alier, or modify such a city of the services of holding the couries, as to them shall and consent of the Senate, for the Territory of K. who, by virtue of the President, by and with the and consent of the Senate, for the Territory of K. who, by virtue of the President, by and with the and consent of the Senate, for the Territory of K. who, by virtue of the President, by and who, by virtue of the Senate, for the Territory of K. who, by virtue of the President, by and twink the and consent of the Senate, for the Territory and the secondary of the Treasury may present of the secretary of the Treasury may present of the Senate, for the Territory and the secondary of the Treasury may present of the United States which the holding part of the territory embraced within this est, shall faithfully and rigidly observed, now which all gave as security at such tipe and place, and shall be admitted in this act; and that the existing appreciate superintedencies of said Indians be continued with same powers and duties which are now prescribed law, except that the President of the United States and the secondary of the Terasury, six of which twoships and the superintedencies of said Indians be continued with and the superintedencies of said Indians be continued with and

from sale for the support or common schools, had be ject to the same restrictions in all respects as are be before provided for other sections set apart to the uncommon schools.

Sec. 23. And be it further enacted, That, for purpose of encouraging the speedy settlen of our new Territories of Kansaas and Nebr. by a population of sufficient force to lend themselves against all depredations of the India or of other evil disposed persons, and thus to relieve government of the burden and expense of maintaining great cost and inconvenience, military posts and patritrops in those remote Territories, every white perbeing the bead of a family and a citizen of the U. States, or who, if of foreign birth, shall have made claration, in due form of law, of intention to become a zen of the United States, who shall locate upon any olands of the United States intended for sale in said I tories, and improve and cultimate the same, at any before the first day of January, eighteen hundred fifty-eight, and shall continue to reside thereon for whele year, with his or her family, shall be entitle continue such occupancy for that time and afterwarth first day of January, eighteen hundred and sixt by pre emption, and until such lands shalt be sure by the United States and ready for sale, by filing a real such settlement and ictention to claim the benefit where the state of the such location may be reade, is same is embraced in any land district, and, if not a braced, with the register of the land office, and it shall be according to such forms and made in way as the Secretary of the nearest land office; a notice shall be according to such forms and made in way as the Secretary of the present of the person certification in the such location may be reade, is same is embraced in any land district, and, if not a braced, with the register of the nearest land office; a notice shall be according to such forms and made in way as the Secretary of othe nearest land office; a notice shall be directed, the regis such land office shall give to such death, then of the legal heir of heirs of the preunit after the said first day of January, eighteen hu
and sixty. But such pre-emptor or, in the event of
shen the heir or heirs of the pre-emptor, may, a
time after the filing of such notice—it still oose
said lands when said lands shall have been survey
ready for sale—before the said first day of Jaeighteen hundred and sixty, be permitted beent
pre-empted lands, not exceeding in quantity one qsection, according to the legal surveys and the legasions into quarter sections, or less quantities, at the
of the cents per acre; but no such pre-emption of
chase shall embrace lands in more than one quarter
tion. Whetever it shall be found by the surveys,
made, that more than one person entilled to
emption is located uson the same quarter section
persons may enter that quarter section in commo
also other lands as by pre-emption under the
not exceeding, however, in amount, one quarter if
or every one pre-emptor, and in no case existed
the aggregate four quarter sections for any such or
pre-emption; or, if such common occupants agree they
may enter their said lands separately, instabove provided, in common: Provided, Than noth
this act shall be so construed as to suthorize at
emption, or purchase under a pre-emption, of any
in either of said Territories, reserved by Chargesa, for
elead, quicksilver, platina, zinc or tim. And whe
lands, or lands containing mines of gold, silver, of
elead, quicksilver, platina, zinc or tim. And whe
lands in said Territories, or either of them, shall
veyed, any person or persons who may have
upon any such reservations of this act, in either
Territories, without having resided upon or ou
the came, by giving notice and making paymont as
provided: And provided further. That the right
emption shall not in any case, or in any manne
ever, be assignable; nor shall any person to he
serve in a subject of the statisticion of sections to which the lodian tithe has not airredy
tinguished. Nor shall the provisions of this act
any case of settleme